

## REMARKS

The undersigned and the Examiner conducted a telephone interview on February 6, 2007. The claims and the cited reference were discussed. No agreement on the final disposition of the claims was reached.

Claims 1-11 are pending in the present application. Claims 1, 4, and 8 have been amended. Support for the proposed amendments may be found at least in Figure 3 and between line 4 on page 10 and line 16 on page 12 of the Patent Application. No new matter has been added.

In the Office Action, claims 6 and 15 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Stewart (U.S. Patent No. 2004/00107014). Pursuant to the amendments indicated herein, the Examiner's rejections are respectfully traversed.

A finding of obviousness under 35 U.S.C. § 103 requires a determination of the scope and content of the prior art, the level of ordinary skill in the art, the differences between the claimed subject matter and the prior art, and whether the differences are such that the subject matter as a whole would have been obvious to one of ordinary skill in the art at the time the invention was made. *Graham v. John Deere Co.*, 148 USPQ 459 (U.S. S.Ct. 1966). To determine whether the subject matter as a whole would have been obvious to one of ordinary skill in the art at the time the invention was made, one should determine whether the prior art reference (or references when combined) teach or suggest all the claim limitations. Furthermore, it is necessary for the Examiner to identify the reason why a person of ordinary skill in the art would have combined the prior art references in the manner set forth in the claims.

Conventional cellular communication devices include an access terminal (which may also be referred to as a handset or a mobile shell) and a user identity module that may be inserted into

the access terminal. In order to authenticate the user of the cellular communication device, a network should be able to authenticate the user identity module independent of the access terminal. At least in part to address this need, independent claim 1 (as amended herein) sets forth a method of authenticating a user identity module implemented in an access terminal. One embodiment of the claimed method sets forth receiving, at the access terminal and over an air interface, a first challenge associated with a first authentication process. A second challenge is derived at the access terminal. The second challenge is associated with a second authentication process based on at least a portion of the first challenge. The user identity module performs the second authentication process using the derived second challenge and produces at least one authentication parameter. The access terminal then derives a key associated with the first authentication process based on the at least one authentication parameter.

In contrast, Stewart describes a Web-based authentication system that permits an FTP server to validate client credentials against a Web server. For example, when a user makes a request from an FTP server, the FTP server may request access to a protected page of a Web server. The FTP server may supply the client credentials to the Web server with the request and the Web server may attempt to authenticate the client credentials. The request to the FTP server may be granted if the Web server successfully authenticates the client credentials. See Stewart, paragraph [0026]. However, Stewart is not concerned with the authentication of cellular communication devices and in particular fails to teach or suggest any methods for authenticating user identity modules that may be installed in access terminals.

Applicants therefore respectfully submit that the prior art of record fails to teach or suggest all the limitations set forth in the pending claims. Applicants for the submit that neither the cited reference nor the Examiner has provided a reason why person ordinary skill in the art

would have been motivated to modify the authentication system used in the FTP server described by Stewart so that it can be used to authenticate user identity modules in cellular communication devices. For at least the aforementioned reasons, Applicants respectfully submit that the pending claims (as amended herein) would not have been obvious over Stewart and request that the Examiner's rejections of claims 1-11 under 35 U.S.C. § 103(a) be withdrawn.

For the aforementioned reasons, it is respectfully submitted that all claims pending in the present application are in condition for allowance. The Examiner is invited to contact the undersigned at (713) 934-4052 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,

Date: February 7, 2008

/Mark W. Sincell/  
Mark W. Sincell, Ph.D.  
Reg. No. 52,226  
Williams Morgan & Amerson, P.C.  
10333 Richmond Avenue, Suite 1100  
Houston, TX 77042  
(713) 934-7000  
(713) 934-7011 (Fax)

AGENT FOR APPLICANTS